



Positive Handling Policy

Review Responsibility: Assistant Headteacher – Attendance & Behaviour

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Policy Statement

The positive ethos, good behaviour and excellent relationships in this school mean that restrictive physical intervention will be rarely needed. However, this policy also recognises that schools and other settings have a duty of care towards their pupils and staff. It also recognises that the best interests and welfare of all children within the school community must be paramount, and that children may sometimes behave in such a way as to put themselves or others at risk. It is therefore necessary and appropriate for schools and settings to proactively plan for behaviour that challenges to uphold these principles and to prevent injury or damage.

Policy Aims

Eliminating the inappropriate use of restraint is vital and particularly important in relation to children who are still developing both physically and emotionally as any trauma at this formative stage in their development could be very damaging and have long term consequences. A preventative approach to supporting young people whose behaviour is challenging is always preferable, but there may be occasions when restraint is necessary. This policy helps provide guidance on the use of positive handling in line with the law, core values and ethical principles.

Avoiding the Use of Positive Handling

Positive handling should always be a last resort when other strategies have failed. Borden will aim to avoid this eventuality by:

1. Having a positive behaviour strategy for students with rewards and sanctions (see behaviour policy)
2. Training staff, both in general behaviour management strategies to avoid positive handling and guidance on what to do in the event of the need to restrain a student. All staff will be given basic guidance, as well as this policy. Key staff who are most likely to be placed in the situation will have specific positive handling training.
3. Risk assessing students who may be deemed a risk, particularly those with specific special educational needs, also creating a plan for avoiding positive handling (as well as guidance on what to do for that child if it is necessary).
4. Reviewing any incidents within 24 hours where positive handling was necessary or almost necessary. The headteacher must be informed of any need for restraint as soon as practicable so that a review can take place and the risk assessment updated if appropriate.
5. Monitor the use of positive handling and this policy in line with good practice and the equalities duty.

Positive Handling

As the statutory power to use force is held by individual members of staff as a result of their 'duty of care' for all students, no school should have a policy of no physical contact. However, the use of force

on a student places both the student and the member of staff at risk and must be avoided if at all possible. Staff members are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention. On the occasions where positive handling is unavoidable, physical intervention should always be:

- a. In the best interests of the child or other children
- b. Reasonable and proportionate (see below)
- c. Intended to reduce risk
- d. The least intrusive and restrictive of those options which are likely to be effective, attempting to maintain the dignity of all concerned
- e. Staff should attempt to avoid touching or restraining a pupil in any way that could be interpreted as sexual or inappropriate conduct
- f. Applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allows the pupil to regain self-control.

The Legal Framework

Ideally, intervention will be carried out by a permanent member of staff who has received the training. However, this is not always possible and anybody has the lawful power to use force under **Common Law and Section 3(1)(a) Criminal Law Act 1967**. Since the basis for use of force is contained within common law, centred around what is deemed to be “reasonable and proportionate”. In other words it is specific to the circumstances of each case. The use of force should be deemed absolutely necessary and the degree of force used should always be the minimum to achieve the desired result. There are a number of specific pieces of legislation that qualify the use of force to restrain a student.

Section 93 of the Education & Inspections Act 2006 states:

A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

- (a) Committing any offence,
- (b) Causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

Key Points of the DfE ‘Behaviour in schools: Advice for headteachers and school staff, January 2022’ states:

- Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
- The power to discipline also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Headteachers, proprietors and governing bodies must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.

Key points of the DfE ‘Use of Reasonable Force Advice for Headteachers, Staff and Governing bodies, 2025’ states:

- School staff members have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

The Department for Education guidance in [Use of Reasonable Force](#) advises that certain restraint techniques present an unacceptable risk when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.
- Use of prone position (face down on the floor) or T Supine position (on their back).

Staff must not perform these techniques because the school has a positive duty to the preservation of life and complies with Article 2, Human Rights Act.

What is Reasonable Force?

Force is usually used either to control or restrain. In the context of teaching, this can range from guiding a pupil to safety by the arm, through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. 'Reasonable in the circumstances' means using no more force than is needed. Schools sometimes use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention. Whilst school staff should always try to avoid acting in a way that might cause injury, in extreme cases it may not always be possible to avoid injuring the pupil.

As specified in the legal framework, schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
- restrain a pupil at risk of harming themselves through physical outbursts

Schools or teachers must never use force as a punishment as this is unlawful.

The Do's: When Physical Intervention Becomes Necessary

DO

- Tell the pupil what you are doing and why
- Use reasonable force
- Involve another member of staff if possible
- Tell the pupil what they must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Relax your restraint in response to the pupil's compliance

Searching Students Without Consent

Although consent will almost always be sought, headteachers and authorised staff may use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

However, force cannot be used to search for other items banned under the school rules.

Avoiding Restraint

Whilst Borden does not have a ‘no touch’ policy, staff should avoid using any force on students unless they believe it is absolutely necessary. The legal framework above lists examples of where it may be appropriate, but the judgement that staff need to make is often finely balanced. Staff need always to consider whether the use of force is unavoidable because of an honestly held belief that the circumstances apply in the 2006 act mentioned above. This means that where a student wants to leave the classroom, area or school site they should be allowed to do so unless they are likely to put themselves or others at risk. Poor behaviour on its own is not a good enough reason to use force on a student.

Actions After an Incident

Physical intervention often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. The headteacher or senior member of staff should be informed of any incident as soon as possible and certainly within 24 hours. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed. If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural support plan, a personal risk assessment or other strategies agreed by the Senior Leadership Team. It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided. All incidents should be recorded immediately. A member of staff will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

Any use of positive handling will be logged on CPOMs, including the staff present and further action taken (such as contacting the parents). The context should also be mentioned, with information pertaining to point 7.1 above, including how and where the student was held during this time, and the amount of force used.

Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention
- Ways of avoiding 'triggers' if these are known
- Involvement of parents/carers to ensure that they are clear about the specific action school might need to take
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all pupils and staff

Complaints

Parents and pupils have the right to complain about actions that may be taken by school staff and should refer to the school complaints policy and safeguarding procedures.